

IN RE: PETITION FOR ADMIN. VARIANCE
N/S Hilltop Road North, opposite
Rolling Dale Road
(13 Hilltop Road North)
1st Election District
1st Councilmanic District
John W. Jeffries, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 93-244-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Administrative Variance filed by the owners of the subject property, John W. and Renate S. Jeffries. The Petitioners request relief from Section 1801.2.C.1a of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 22 feet in lieu of the required 30 feet for a proposed addition in accordance with Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 4th day of March, 1993 that the Petition for Administrative Variance requesting relief from Section 1801.2.C.1a of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 22 feet in lieu of the required 30 feet for a proposed addition in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LES:bjs

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 3/4/93
By [Signature]

- 2 -

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

March 4, 1993

(410) 887-4386

Mr. & Mrs. John W. Jeffries
13 Hilltop Road North
Catonsville, Maryland 21228

RE: PETITION FOR ADMINISTRATIVE VARIANCE
N/S Hilltop Road North opposite Rolling Dale Road
(13 Hilltop Road North)
1st Election District - 1st Councilmanic District
John W. Jeffries, et ux - Petitioners
Case No. 93-244-A

Dear Mr. & Mrs. Jeffries:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: People's Counsel

File

Petition for Administrative Variance 93-244-A to the Zoning Commissioner of Baltimore County

for the property located at 13 HILLTOP ROAD NORTH, CATONSVILLE, MD.
which is presently zoned DRS-5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1. B.C.Z.R. 1801.2.C.1a

TO PERMIT A REAR YARD SETBACK OF 22 FEET IN LIEU OF THE REQUIRED 30 FEET

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons (indicate hardship or practical difficulty)

To provide necessary additional living space, a second bedroom and a second study area.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I or we agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee
(Type or Print Name)
Signature
Address
City State Zipcode
Attorney for Petitioner
(Type or Print Name)
Signature
Address
City State Zipcode
Phone No.
Name Address and phone number of legal owner, contract purchaser or representative to be contacted
Name
Address
City State Zipcode
Phone No.

JOHN W. JEFFRIES
RENAME S. JEFFRIES
13 HILLTOP RD. NORTH
CATONSVILLE MD 21228
410-784-6866

ORDER RECEIVED FOR FILING
Date 3/4/93
By [Signature]

A Public Hearing having been requested and/or found to be required, it is ordered, by the Zoning Commissioner of Baltimore County, this 4th day of March, 1993, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be posted.

REVIEWED BY: [Signature] DATE: 1/16/93

ESTIMATED POSTING DATE: 2/26/93

Zoning Commissioner of Baltimore County

ITEM #: 268

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) were competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) do(es) presently reside at
13 HILLTOP ROAD NORTH
City CATONSVILLE State MD Zip Code 21228

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

This request is based partly upon hardship arising from the inability to make reasonable use of the property in a development where the majority of houses have similar-sized porches or rooms added to the same portion of the house as the proposed addition. Both the house and the lot are among the smaller in the development and their configurations require the addition be placed as proposed. Strict compliance would also cause practical difficulty by unreasonably preventing an addition devoted to permitted purposes (needed additional living space) that would provide no injustice to others and would not violate the spirit of the ordinance or public safety and welfare.

The Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

John W. Jeffries
JOHN W. JEFFRIES
Type or Print Name
Renate S. Jeffries
RENAME S. JEFFRIES
Type or Print Name

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 23rd day of January, 1993, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

JOHN W. JEFFRIES RENAME S. JEFFRIES

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

1/23/93
Notary Public

My Commission Expires: June 21, 1995

93-244-A
Zoning Description for 13 Hilltop Road North, Catonsville
Baltimore County, Maryland 21228

Beginning at a point on the north side of Hilltop Road North which is 50 feet wide at the distance of 50 feet opposite the centerline of the nearest improved intersecting street, Rollingdale Road, which is 50 feet wide. Being lot # 19, Block 7 in the subdivision of Plat One Rollingwood as recorded in Baltimore County Plat Book G. L. B. # 20, Folio #112 containing 8523 square feet or .19 acres. Also known as #13 Hilltop Road North and located in the first Election District.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 1st Date of Posting 2/12/93
Posted for: Variance
Petitioner: John W. & Renate S. Jeffries
Location of property: N/S Hilltop Rd. N. 13 Hilltop Rd. N.
Location of Signs: Front, side, rear, and adjacent lot lines
Remarks: [Signature]
Posted by: [Signature] Date of return: 2/12/93
Number of Signs: 1

93-244-A

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 130326
#268
DATE: 1/26/93 ACCOUNT: R-001-6150
AMOUNT: \$ 85.00
RECEIVED FROM: RENAME S. JEFFRIES
FOR: ADMIN. VARIANCE
DATE: 1/26/93 VALIDATION OR SIGNATURE OF CASHIER: [Signature]
FEE: \$85.00

Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Account: R-001-6150
Number

2/02/93 H9300268

PUBLIC HEARING FEES QTY PRICE

010 -ZONING VARIANCE (IRL) 1 X \$50.00

080 -POSTING SIGNS / ADVERTISING 1 X \$35.00

LAST NAME OF OWNER: JEFFRIES TOTAL: \$85.00

New Validation

Please Make Checks Payable To: Baltimore County

Mr. and Mrs. John W. Jeffries
13 Hilltop Road North
Catonsville, MD 21228

RE: Case No. 93-244-A, Item No. 268
Petitioner: John W. Jeffries, et ux
Petition for Administrative Variance

Dear Mr. and Mrs. Jeffries:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on January 26, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: February 12, 1993

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):
Item Nos. 254, 256, 259, 263, 262, 267, 268, 261.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: Jeffrey M. Long

Division Chief: Carol L. Kenna

PK/JL/lw

254.ZAC/ZAC1

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: Feb 18, 1993

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management

FROM: Rahee J. Famili

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: Feb 8, 1993

There are no comments on item numbers 239, 240, 241, 254, 256, 257, 259, 260, 261, 262, 263, 264, 267, and 268

Rahee J. Famili
Rahee J. Famili
Traffic Engineer II

RJF/lvd

RECEIVED
FEB 18 1993
ZONING OFFICE

Baltimore County Government
Fire Department

700 East Joppa Road, Suite 901
Towson, MD 21286-5500

FEBRUARY 18, 1993 (410) 887-1500

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: JOHN W. JEFFRIES AND RENATE S. JEFFRIES

Location: #13 HILLTOP ROAD NORTH

Item No.: *268 (REG) Zoning Agenda: FEBRUARY 8, 1993

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: Carol L. Kenna Noted and Approved Carol L. Kenna
Planning Group Special Inspection Division Fire Prevention Bureau

JF/REK

January 8, 1993

93-244-A

To Whom It May Concern:

I understand that John and Renate Jeffries of 13 North Hilltop Road in Catonsville have applied for a variance to their zoning classification of DR 5.5. The variance is required in order to allow them to build an addition on the back of their existing house. This addition will bring the back line of their house to within 22 feet of the rear property line. Thus, the variance to the standard 30 foot distance to the rear property line is required.

I have seen the plans of the addition and the existing plat for the property. I agree to the variance that the Jeffries are requesting.

Signed: Mark J. Pophin

Address: 15 NORTH HILLTOP ROAD

December 30, 1992

93-244-A

To Whom It May Concern:

I understand that John and Renate Jeffries of 13 North Hilltop Road in Catonsville have applied for a variance to their zoning classification of DR 5.5. The variance is required in order to allow them to build an addition on the back of their existing house. This addition will bring the back line of their house to within 22 feet of the rear property line. Thus, the variance to the standard 30 foot distance to the rear property line is required.

I have seen the plans of the addition and the existing plat for the property. I agree to the variance that the Jeffries are requesting.

Signed: Ruth E. Koe

Address: 114 N Hilltop Road - Baltimore MD 21228

December 30, 1992

93-244-A

To Whom It May Concern:

I understand that John and Renate Jeffries of 13 North Hilltop Road in Catonsville have applied for a variance to their zoning classification of DR 5.5. The variance is required in order to allow them to build an addition on the back of their existing house. This addition will bring the back line of their house to within 22 feet of the rear property line. Thus, the variance to the standard 30 foot distance to the rear property line is required.

I have seen the plans of the addition and the existing plat for the property. I agree to the variance that the Jeffries are requesting.

Signed: Quetta A. Mungaly

Address: 14 N Hilltop Road - Catonsville, MD 21228

111 West Chesapeake Avenue
Towson, MD 21204

FEBRUARY 3, 1993 (410) 887-3353

John and Renate Jeffries
13 Hilltop Road North
Catonsville, Maryland 21228

Re: CASE NUMBER: 93-244-A (Item 268)
1/3 Hilltop Road North, opposite Hilltop Dale Road
13 Hilltop Road North
1st Election District - 1st Councilmanic
Legal Owner(s): John W. Jeffries and Renate S. Jeffries

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a reaffirmation regarding the administrative process.

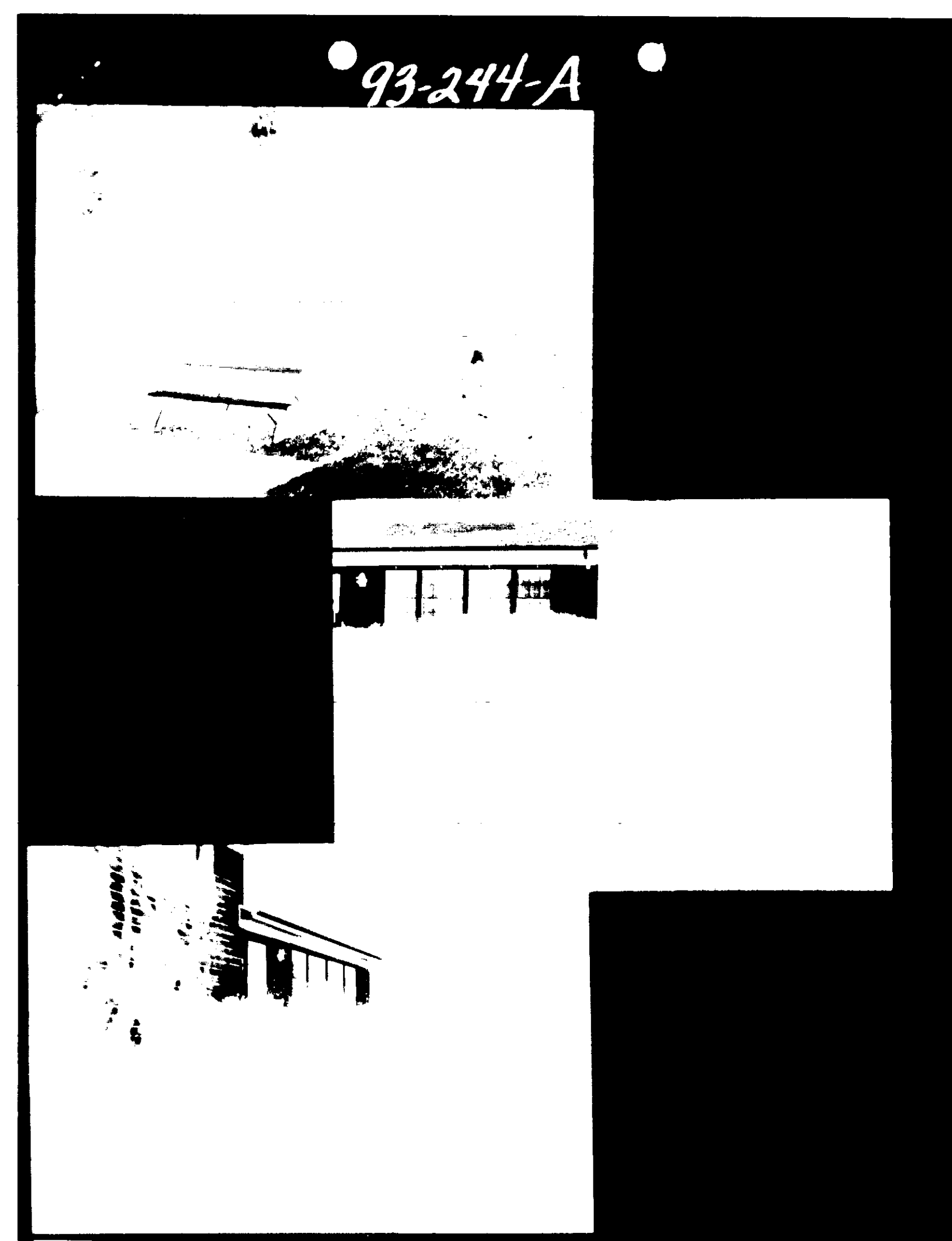
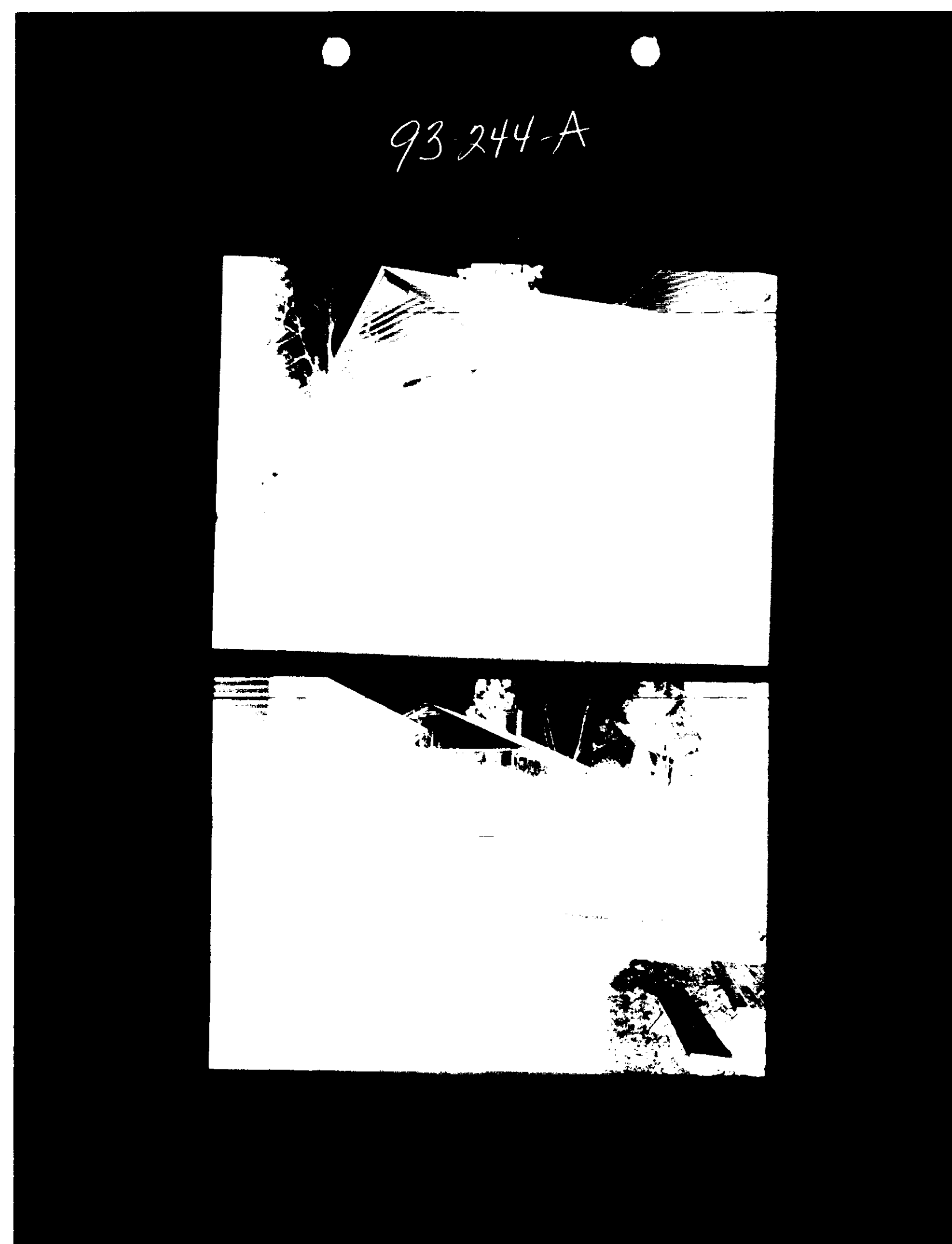
1) Your property will be posted on or before February 14, 1993. The closing date (March 1, 1993) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Carol L. Kenna
Arnold Jablon
Director



Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 13 HILLTOP ROAD NORTH

Subdivision name: PLAT ONE ROLLINGWOOD

plat books 20, lot 112, lot 19, sections 7

OWNER: JOHN AND RENATE JEFFRIES

14 N. ROLLING ROAD
JOHN & JUDY MURPHY
01-04-003003

Proposed Addition
14' x 20'

LOT 18
MARK PIPKIN
01-18-471541

LOT 20
GEOFFREY & RUTH HEAD
01-08-301506

LOT 19
20' x 11'

HILLTOP ROAD NORTH 50' R/W

Rollingwood Road 50' R/W

North

date: prepared by: R.A.K./R.S.T.

Scale of Drawing: 1" = 50'

93-244-A

Vicinity Map
scale: 1" = 1000'

LOCATION INFORMATION

Election District: 12

Councilmanic District: 1

1" = 200' scale map:

Zoning: ORS. 5

Lot size: 19 8,523 square feet

SEWER: ☒ ☐

WATER: ☒ ☐

Chesapeake Bay Critical Area: ☐ ☒

Prior Zoning Hearings: ☐ ☒

Zoning Office USE ONLY!

received by: ITEM #1 CASE#:

1/26/93 268

